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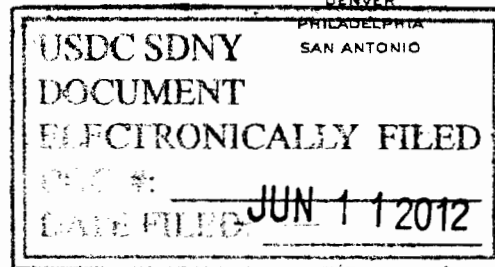
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June 7, 2012

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Via Facsimile (212) 805-0426

The Honorable Laura Taylor Swain
United States Courthouse
500 Pearl St.
New York, New York 10007-1312

MEMO ENDORSED

Re: Cause No. 12-cv-3044 (LTS); *Marsh USA Inc., et al. v. Falk*, In the United States District Court for the Southern District of New York

Dear Judge Swain:

In accordance with the Court's Individual Practices ¶A(1)(e), Defendant Raymond Falk respectfully requests the Court grant him an extension of time to file his reply to Plaintiffs' response to Falk's Motion to Dismiss. This is Falk's first request for an extension of time to file his reply.

On May 17, 2012, Falk filed a Motion to Dismiss Plaintiffs' First Amended Complaint. See Doc. Nos. 15-17. On May 31, 2012, Plaintiffs filed their response in opposition to Falk's Motion to Dismiss. Therefore, under Local Rule 6.1(b), Falk's original deadline to file his reply is today, June 7, 2012.

As pointed out in Falk's Motion to Dismiss, there is a parallel proceeding involving the same parties and same dispute already pending in the Eastern District of Louisiana. Therefore, contemporaneous to this letter, Falk is filing a motion to stay these proceedings pending resolution of issues regarding the first-to-file rule by the Louisiana federal court.

In light of Falk's request, and the law in this Circuit governing the first-to-file rule, Falk requests an extension of time to file his reply so as to not duplicate effort and judicial resources when the Louisiana court, the "first-filed" court, is to decide if and how the parallel proceedings should proceed. Accordingly, Falk seeks an extension of time until after the Court resolves Falk's motion to stay these proceedings and, should this court decline to recognize the first-to-file rule and proceed, Falk requests notice of the Court's decision and a reasonable time thereafter to file a reply brief.

Upon conferring with Plaintiffs' counsel, Plaintiffs do not oppose a seven (7) day extension of time for Falk to file a reply brief. However, because it is highly unlikely this Court will determine whether it will stay its proceedings pending application of the first-to-file rule by

The Honorable Laura Taylor Swain
June 7, 2012
Page 2

the first-filed, Louisiana court, Falk seeks an extension of time until this Court resolves the question of whether it will stay its proceedings pending resolution of this issue.

Thank you for your attention to this important matter. Should the Court require any further information, I would be pleased to do so.

Sincerely,



William S. Helfand

WSH:KRS

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Local Counsel for Defendant

The request is granted.

SO ORDERED.

NEW YORK, NY



LAURA TAYLOR SWAIN

June 11, 2012 UNITED STATES DISTRICT JUDGE